

Commercial Use Task Force
10/4/2005, 6-8pm
Meeting #1 Notes

These notes are a summary of ideas generated at the first Commercial Use Task Force public meeting and from individual comments. Flip chart notes were used as the basis for this summary and were edited to assist in understanding the concepts and discussion. Comments received from emails that were not represented in meeting comments were added to the meeting notes to accurately reflect all public comment to date. These additional comments are marked with an asterisk.

Permit Length

- Short term
 - Hourly, daily, monthly
- Long term
 - One, two, three, five years
- *Three tiers
 - Event (activity), one year and five year
- Need flexibility for activity types of events
- Long term permits should require simple renewal process/annual report requirements, “rollover” using a report that includes information such as: number of days, areas used, etc.
- Link permit length to insurance policy.
- Make permit “activity-based” rather than “time-based”
- Need categories of permits
- Long term permits of longer duration, for instance 5 years, require “probation” period of shorter length permit.
- *Issue permits one year in advance so businesses can plan

Fees & Cost Recovery

- Base on amount of use, estimate amount and pay up front, then track over time
- Make fees visitor-based
- % of gross or net revenue (* suggestion--\$100 fee plus 2% of gross revenue)
- Flat fee with tiers
- Waive fee for non-profits
- Don't waive fee for non-profits
- Establish mechanism to waive fees based on need * or service
- Need to consider sales tax revenue when establishing fees and cost recovery
- Break for Boulder-based business
- Fees based on resource impact and should not distinguish profit/non-profit
- Some type of deposit or bond for restoration
- Differentiate between residents verses non-residents
- Swap service for fees such as trail maintenance or restoration time
- *Don't exclude commercial users that can not pay the fee
- *Set levels of gross revenue fee tiers, have non-profits pay with similar tiers

- *Make the fees reasonable

Group Limit Number

- Tiered system
 - Less than 25
 - 25-50
 - 50-100
- Make limits activity-based
- Activity is often limiting factor, for example climbing guides
- Capacity limits for specific areas
- Application process for 25 or less??
- *Have Group limit of 16 for climbing, biking and hiking
- *Set commercial group size limits at the same level as the non-guided general public

Insurance/Certification

- Provide opportunity for those who don't make much money to get large insurance policies
- Exempt dog-walkers from insurance
- Establish liability insurance requirement ranges for different activities (* one million suggested)
- Businesses should show proof of insurance to obtain permit
- Yearly renewal to prove still have insurance and other requirements
- Smaller groups should be excluded because of high cost policies
- Consensus of minimal insurance amount
- Include City of Boulder as an additional insured
- Require climbing Guides certified by AMGA or equivalent
- Climbing guide certification not needed
- Require 1st Aid, CPR universal/standardized qualifications
- Standardized qualifications for activity skill/staff qualified
- Expectation of clients is that commercial vendors have required qualifications
- Open Space and Mountain Parks has expectations of permittees
- Have Open Space and Mountain Parks approve commercial use staff qualifications
- In-house assessment or work out agreement with other entities
- Standardize inquiry of staff qualifications (certification, on-the-job training, experience)
- Purpose of permit is to protect resources, should not be designed to eliminate competition

Visitor Conflict & Resource Issues

- Swap service for fees – make service a requirement
- Public notification of trail use by filming operations
- Conflict of time and location with other visitors, need to work out
- Activity-specific provisions or conditions for permit approval

- Resource issues related to group size – more or less than 25, many agencies is 12 to 15
- Impact should be gauged per activity/amount of use/intensity level of activity
- Need balance of both public use and commercial use
- Different permit types and cost based on: impact/size of group/activity/duration
- *Provide email addresses for all commercial users in order to communicate about areas and avoid conflict
- *Provide flexible permit language, so permittees can go elsewhere on Open Space and Mountain Parks to avoid conflicts
- *Require Leave No Trace orientation for all group leaders and communicate front country principles to clients

Fines/Revocation

- Absolutely have fines, \$1000?, *”substantial fines”
- Require projects/service
- Lose privilege or have probationary period
- On-site ranger enforceability for operators outside their permit,, *including safety and resource damage issues
- Require annual review to ensure requirements are being met and for revocation
- Inform applicants about potential penalties (behavior expectations)
- *Insure Open Space and Mountain Parks can revoke permits

Other

- Define as “guided public” or “public” instead of “commercial”
- Positive reinforcement - list commercial users that have obtained permit on OSMP website
- OSMP support of permittees in various venues – “have been approved or permitted”
- Quick turn around permit process – activity-based (primarily for film)
- Permit length examples: event (activity)/annual/long term (concession)
- Concern if non-profits are exempt from fees - make sure they abide by the same regulations
- Consider economic benefit to City